



LOUISIANA INSURANCE  
RATING COMMISSION

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STATE OF LOUISIANA

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**Bulletin LIRC 93-04**

**DATE: AUGUST 26, 1993**

**TO: ALL PROPERTY AND CASUALTY INSURANCE COMPANIES AND RATING ORGANIZATIONS MAKING RATE AND RULE FILINGS IN LOUISIANA**

**RE: R.S. 22:1472  
R.S. 22:652.2  
R.S. 22:1404(3)(e)  
R.S. 22:635.2**

The purpose of this bulletin is to set forth directives of the Louisiana Insurance Rating Commission (LIRC) regarding the above-referenced statutes.

**R.S. 22:1472**

Act 41 of the 1993 Regular Session of the Louisiana Legislature (copy attached) became effective August 15, 1993. This Act stipulates that no insurer shall charge a higher premium rate, increase or add a surcharge, cancel, or fail to renew an automobile insurance policy in Louisiana based solely upon the insured's activities as a volunteer fireman.

Therefore, LIRC hereby directs all companies with rates and rules on file with the LIRC for private passenger automobile insurance:

1. To notify LIRC within sixty (60) days (by U.S. mail) whether a filing has been made with LIRC complying with this statute.
2. If such a filing has previously been made and approved by LIRC, provide LIRC within sixty (60) days (by U.S. mail) the date of the filing, the effective date of implementation, and a copy of LIRC's approval letter.
3. If such a filing has not previously been made and approved by LIRC, file within sixty (60) days rates and rules which comply with Act 41 of 1993.

If a company does not have rates and rules on file with the LIRC for private passenger automobile insurance, the company should notify the LIRC within sixty (60) days (by U.S. mail) that this statute does not apply.

**R.S. 22:652.2**

Act 552 of the 1993 Regular Session of the Louisiana Legislature (copy attached) became effective August 15, 1993. This Act stipulates, among other provisions, that no insurer shall refuse to issue or renew, increase the premium, or cancel an automobile insurance policy in Louisiana solely because the insured is deaf or hard of hearing, provided such person is mentally and physically capable of driving an automobile and possesses a valid Louisiana operator's license.

Therefore, LIRC hereby directs all companies with rates and rules on file with the LIRC for private passenger or commercial automobile insurance:

1. To notify LIRC within sixty (60) days (by U.S. mail) whether a filing has been made with LIRC complying with this statute.
2. If such a filing has previously been made and approved by LIRC, provide LIRC within sixty (60) days (by U.S. mail) the date of the filing, the effective date of implementation, and a copy of LIRC's approval letter.
3. If such a filing has not previously been made and approved by LIRC, file within sixty (60) days rates and rules which comply with Act 552 of 1993.

If a company does not have rates and rules on file with the LIRC for private passenger or commercial automobile insurance, the company should notify the LIRC within sixty (60) days (by U.S. mail) that this statute does not apply.

**R.S. 22:1404(3)(e)**

Act 654 of the 1992 Regular Session of the Louisiana Legislature (copy attached) became effective August 21, 1992. This Act stipulates that every carrier who issues comprehensive insurance coverage on a motor vehicle in Louisiana shall grant an actuarially justified discount when the vehicle identification number is etched into all of the windows of the motor vehicle. On July 22, 1992, the Insurance Rating Director sent a memorandum to every property and casualty insurance company operating in the state of Louisiana directing all carriers who afford automobile comprehensive coverage to file a program offering the window etching discount. According to LIRC records, few companies complied with this statute.

Therefore, LIRC hereby directs all companies with rates and rules on file with the LIRC for private passenger or commercial comprehensive coverage for motor vehicles:

1. To notify LIRC within sixty (60) days (by U.S. mail) whether a window etching discount has been filed with LIRC.
2. If the discount has been previously filed and approved by LIRC, provide LIRC within sixty (60) days (by U.S. mail) the date of the filing, the effective date of implementation, and a copy of LIRC's approval letter.
3. If such a filing has not previously been made and approved by LIRC, file within sixty (60) days rates and rules which comply with Act 654 of 1992.

If a company does not have rates and rules on file with the LIRC for private passenger or commercial comprehensive coverage for motor vehicles, the company should notify the LIRC within sixty (60) days (by U.S. mail) that this statute does not apply.

**R.S. 22:635.2**

Act 205 of the 1993 Regular Session of the Louisiana Legislature (copy attached) became effective August 15, 1993. This Act stipulates that no insurer shall increase the premium charged for automobile liability insurance in Louisiana solely on the grounds that the insured has attained the age of sixty-five (65) or older.

Therefore, LIRC hereby directs all companies with rates and rules on file with the LIRC for private passenger or commercial liability coverage for motor vehicles:

1. To notify LIRC within sixty (60) days (by U.S. mail) whether a filing has been made with LIRC complying with this statute.
2. If such a filing has previously been made and approved by LIRC, provide LIRC within sixty (60) days (by U.S. mail) the date of the filing, the effective date of implementation, and a copy of LIRC's approval letter.
3. If such a filing has not previously been made and approved by LIRC, file within sixty (60) days rates and rules which comply with Act 205 of 1993.

If a company does not have rates and rules on file with the LIRC for private passenger or commercial liability coverage for motor vehicles, the company should notify the LIRC within sixty (60) days (by U.S. mail) that this statute does not apply.

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Please note the attached copy of R.S. 22:1447, which specifies that the LIRC may levy and collect a fine up to \$ 25,000 against a company or rating organization found in non-compliance with LIRC directives, after a proper hearing.

Attachments